

EUROPEAN PARLIAMENT

Working Documents

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DOCUMENT 1-182/82

Report

drawn up on behalf of the Committee on Transport

on the proposal from the Commission of the
European Communities to the Council (Doc. 1-901/81 -
COM(81) 617 final) for a decision concluding the
Agreement on the international carriage of passen-
gers by road by means of occasional coach and bus
services (ASOR)

Rapporteur: Mr A. BUTTAFUOCO

By letter of 15 December 1981 the President of the Council of the European Communities consulted the European Parliament, pursuant to Article 75 of the EEC Treaty, on the proposal from the Commission of the European Communities to the Council for a decision concluding the Agreement on the international carriage of passengers by road by means of occasional coach and bus services (ASOR).

The President of the European Parliament referred this proposal to the Committee on Transport as the committee responsible.

On 26 February 1982 the Committee on Transport appointed Mr BUTTAFUOCO rapporteur.

The committee considered the proposal at its meetings of 29 March and 29 April 1982 and at its meeting of 29 April 1982 the committee unanimously adopted the motion for a resolution.

The following took part in the vote: Mr Seefeld, chairman; Dame Shelagh Roberts, vice-chairman; Mr Carossino, vice-chairman; Mr Kaloyannis, vice-chairman; Mr Buttafuoco, rapporteur; Mr Albers, Mrs von Alemann, Mr Cottrell, Mr Gabert, Mr Gendebien (deputizing for Mr Skovmand), Lord Harmar Nicholls, Mr Howell (deputizing for Mr Marshall), Mr Junot, Mr Key, Mr Klinkenborg, Mr Moorhouse and Mr O'Donnell.

C O N T E N T S

	<u>Page</u>
A. MOTION FOR A RESOLUTION	5
B. EXPLANATORY STATEMENT	7
I INTRODUCTION.....	7
II CONTENTS OF THE AGREEMENT	7
III SPECIFIC OBSERVATIONS	9
IV CONCLUSIONS	11

A

The Committee on Transport hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council (Doc.1-901/81) for a decision concluding the Agreement on the international carriage of passengers by road by means of occasional coach and bus services (ASOR)

The European Parliament,

- A. having regard to the proposal from the Commission of the European Communities to the Council (COM(81) 617 final) ,
- B. having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 1-901/81),
- C. having regard to the report of the Committee on Transport (Doc. 1-182/82),
 - 1. Welcomes the fact that an agreement has been reached on the liberalization of passenger transport by road by means of occasional coach and bus services between the Community and nine third countries which provides practical solutions to current problems in this field;
 - 2. Expresses the hope that the scope of the liberalization measures may be progressively extended in the light of the functioning of the Agreement; in particular to other categories of passenger transport by road (regular and shuttle services);
 - 3. Considers that this Agreement can only promote an increase in international trade and the productivity of transport undertakings through the simplification of administrative and control formalities;

4. Underlines the fact that the conclusion of the Agreement constitutes the first measure in the field of the common transport policy which introduces rules that are binding on both the Community and third countries and the first practical application of the Community's external competence in this field;
5. Believes that the text of the Agreement, as regards both its objectives and the means provided for their attainment, will further the formulation of an effective common transport policy;
6. Expresses, nevertheless, its deep concern upon hearing that a current dispute with Yugoslavia will undoubtedly prevent the latter country from co-signing the Agreement at the present time, and urgently requests the Commission to seek a rapid settlement of this conflict, which is especially damaging to the interests of Greece;
7. Approves, therefore, the Commission's proposal.

EXPLANATORY STATEMENTI INTRODUCTION

1. The Commission proposal under consideration concerns the conclusion of an Agreement between the European Community and nine third countries¹ which should permit the liberalization of the international carriage of passengers by road by means of occasional coach or bus services.

2. Regulation No. 1177/66/EEC of 28 July 1966, together with other implementing regulations of the Council, have made it possible to establish common rules for the international carriage of passengers by road within the Community.

3. In this connection, your rapporteur would point out that, despite the fact that rules have existed for some considerable time, barriers persist at the Community's internal frontiers in the field of passenger transport by road. Every effort must be made, therefore, to ensure that the liberalization measures which have been decided are given effective practical application.

4. Article 4 of the abovementioned regulation explicitly provided for the opening of negotiations with third countries.

This point has been given consideration in the past and led to the report drawn up by Mr van der GUN² on behalf of the former Committee on Regional Policy and Transport.

5. The Commission proposal, therefore, is the result of these negotiations between the European Community and nine third countries with which occasional services are particularly important.

II CONTENTS OF THE AGREEMENT

6. The text of the draft Agreement is divided into four sections and contains three declarations in annex.

¹ Austria, Spain, Finland, Norway, Portugal, Sweden, Switzerland, Turkey, Yugoslavia

² Doc. 82/73

7. The scope of the Agreement and definitions of the various forms of services.

The Agreement covers the international carriage of passengers by road by means of occasional services on the territory of at least two contracting parties using vehicles registered in the territory of a contracting party suitable for the carriage of more than nine persons - including the driver - and intended for that purpose.

Occasional services are defined as those which fall neither within the definition of a regular service nor that of a shuttle service, as specified in the Agreement. They are divided into three categories, depending on whether or not the same vehicle is used to carry the same group of passengers throughout a given journey.

8. Liberalization measures taken under the Agreement

The liberalization measures result in exemption from the need for any authorization of transport for all occasional services with the exception of those which make the outward journey unladen and do not comply with certain conditions in respect of the return journey.

9. Definition of the control document designed to replace the control documents currently required

Existing control documents are replaced by a single control document consisting of detachable passenger waybills in duplicate books of 25. The carrier is responsible for seeing that passenger waybills are correctly completed; the book is not transferable.

It should be pointed out that the list of passengers may be annexed to the waybill, although the contracting parties may dispense with this formality if they so agree.

10. General and final provisions

These provisions concern the necessary measures for the implementation of the Agreement: conditions of entry into force, functioning etc.

In particular, an important part of the administrative work will be entrusted to the European Conference of Ministers of Transport (CEMT) - the nine signatory countries are in fact members of the CEMT.

The Agreement has been concluded for a period of five years with provision for its automatic extension.

III SPECIFIC OBSERVATIONS

11. A feature of this Agreement is its significant flexibility of application. The Agreement may be reviewed from the third year following its entry into force. In addition, one of the three declarations of the contracting parties specifies that the scope of the liberalization measures should be extended as far as possible, and that the procedure for issuing the authorizations required for non-liberalized occasional services should be simplified.

12. By eliminating the numerous divergences which exist between the different legal systems which govern the international carriage of passengers by road by means of occasional services, the Agreement under consideration should further the achievement of the following objectives:

- facilitation of the practical provision of services by cutting down the time taken up at frontiers;

- improved and more rational management of the occasional services concerned;

- reduction of administrative formalities by means of harmonized control.

13. With regard to their likely consequences, these liberalization measures should lead to a development of occasional services - a type of service for which, as evidenced by their recent development, there is increasing public demand. This is a significant economic aspect of this proposal.

Finally, in more general terms, any resulting increase in the tourist trade can only be welcomed.

14. Your rapporteur would emphasize the political importance of the conclusion of this Agreement.

It represents the first measure which, within the framework of the common transport policy, goes beyond the frontiers of the Community by establishing binding rules with third countries.

The fact that, for the first time, the Community has exercised its external competence in the field of transport already represents an important achievement. The Community has thus defended its interests by speaking with a single voice, pursuant moreover to Article 228 of the EEC Treaty.

15. Your rapporteur would clearly wish to see this Agreement extended to categories of transport not yet covered, in particular regular and shuttle services, which would open the way to a significant improvement for road transport in frontier regions.

16. The Commission verbally informed the Committee on Transport of the reservations expressed by Yugoslavia with regard to its final signing of the Agreement.

This factor, which is not mentioned in the Commission proposal, would appear after examination a matter of serious concern. Firstly, given that Yugoslavia attracts large numbers of tourists, the scope of the Agreement would be reduced if this country were not a party to it; secondly, and above all, occasional transport services by road to or from Greece must necessarily go through Yugoslavia. Through no fault of its own therefore, Greece, the tenth Member State of the Community, would be unjustly penalized by Yugoslavia's refusal to sign the Agreement.

It is thus vital that the Commission should make every effort to settle as soon as possible any disputes with Yugoslavia relating to this Agreement in order to prevent discrimination against Greece.

IV. CONCLUSIONS

17. The Agreement under consideration would appear likely to enable and facilitate a growth in trade, in particular, the tourist trade, between the Community and the co-signatory third countries.

18. The liberalization measures which it introduces will favour the provision of occasional international services by transport undertakings and improve their productivity.

19. This Agreement may thus be considered as a significant and encouraging step forward in the common transport policy.

The Committee on Transport approves, therefore, the Commission's proposal.

20. However, having been informed of the recent emergence of a dispute with Yugoslavia which could prevent the latter country from signing the Agreement, the Committee on Transport wishes to draw the Commission's attention to the particularly negative implications of this problem for the general scope of the Agreement.

